

## **AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

### **Listing of Claims:**

1. (Original) A medical implant or device at least partially fabricated from a metal alloy consisting essentially of
  - (a) 98.85 – 99.15 weight percent Niobium,
  - (b) 0.85 – 1.15 % weight percent Zirconium.
2. (Original) A medical implant or device according to claim 1 wherein said metal alloy consists essentially of
  - (a) 99.02 –99.15 weight percent Niobium,
  - (b) 0.85 – 0.98 % weight percent Zirconium.
3. (Original) A medical implant or device according to claim 1 wherein said metal alloy consists essentially of
  - (a) 99.05 –99.15 weight percent Niobium,
  - (b) 0.85 – 0.95 % weight percent Zirconium.
4. (Previously Presented) A medical device according to any one of claims 1 to 3, which is a catheter or a guide wire.
5. (Previously Presented) A medical implant or device according to any one of the claims 1 to 3, which is an intra-cavernous implant.
6. (Previously Presented) A medical implant or device according to claim 5, wherein the intra-cavernous implant is an intravascular implant.

7. (Previously Presented) A medical implant or device according to claim 6, which is a stent, a stent graft, a stent graft connector or a heart valve repair device.
8. (Previously Presented) A medical implant or device according to claim 7, which is a stent composed of a single homogeneous, substantially non-decomposing tubing made from a metal alloy consisting essentially of  
(a) 98.85 – 99.15 weight percent Niobium,  
(b) 0.85 – 1.15 % weight percent Zirconium.
9. (Previously Presented) A medical implant or device according to claim 8, which is a stent composed of a single homogeneous substantially non-decomposing sheet made from a metal alloy consisting essentially of  
(a) 98.85 – 99.15 weight percent Niobium,  
(b) 0.85 – 1.15 % weight percent Zirconium.
10. (Original) A medical implant or device according to any one of claims 1 - 3, wherein the surface of the metal alloy is passivated by oxidation or nitridization.
11. (Original) A medical implant or device according to any one of claims 1 - 3, wherein the surface of the metal alloy is coated with iridium oxide by vapor deposition.
12. (Original) A medical implant or device according to any one of claims 1 - 3, wherein the surface of the metal alloy is electropolished, mechanically polished, micro blasted, roughened or sintered.
13. (Currently Amended) A medical implant or device according to any one of claims 1 - 3, wherein the surface of the metal alloy is coated with at least one material selected from the group consisting of a polymer, a blend of polymers, a metal, a blend of metals, a ceramic and/or biomolecules, in particular peptides, proteins, lipids, carbohydrates and/or nucleic acids.

14. (Previously Presented) A medical implant or device according to any one of claims 1 - 3, wherein the surface of the metal alloy is coated with stem cells and/or a bioactive substance.
15. (Currently Amended) A medical implant or device according to claim 14, wherein the surface of the metal alloy is coated with ~~at least one~~ bioactive substance selected from the group consisting of drugs, antibiotics, growth factors, anti-inflammatory agents and/or anti-thrombogenic agents.
16. (Withdrawn) A method of implanting a medical implant into a patient's body, said method comprising implanting into the patient's body an implant at least partially fabricated from a metal alloy consisting essentially of  
(a) 98.85 – 99.15 weight percent Niobium,  
(b) 0.85 – 1.15 % weight percent Zirconium.
17. (Withdrawn) A method according to claim 16, wherein the medical implant is a stent.
18. (Withdrawn) A method according to claim 17, wherein the stent is composed of a single homogeneous, substantially non-decomposing tubing made from the metal alloy.
19. (Withdrawn) A method according to claim 17, wherein the stent is composed of a single homogeneous, substantially non-decomposing sheet made from the metal alloy.
20. (New) A medical implant or device according to claim 13, wherein the material is one selected from the group consisting of peptides, proteins, lipids, carbohydrates and nucleic acids.

21. (New) A medical implant or device according to claim 13, wherein the material is one selected from the group consisting of collagen, heparin, fibrin, phosphorylcholine, cellulose, morphogenic proteins or peptides and growth factors.